

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No. 18-10304

Honorable Laurie J. Michelson

Magistrate Judge Anthony P. Patti

ORDER TO SHOW CAUSE

Malibu Media filed a copyright-infringement case against John Doe on January 25, 2018. (ECF No. 1.) In April 2018, it filed its first motion to extend the time in which to serve the defendant. (ECF No. 7.) The Court granted this motion. (ECF No. 8.) Malibu has since filed four more motions to extend the time of service, all of which the Court granted. (ECF Nos. 11, 12, 15, 16, 17, 19.) The last motion gave Malibu until December 7, 2018 to serve the defendant. (ECF No. 19, 20.) It is now February 12, 2019, and Malibu has not docketed a certificate of service indicating that it has served the defendant.

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” So Malibu is ordered to explain, in writing, no later than February 19, 2019, why this matter should not be dismissed under Rule 4(m).

Malibu is further advised that failure to timely respond may result in dismissal of this action.

IT IS SO ORDERED.

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE

Date: February 12, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel of record and/or pro se parties on this date, February 12, 2019, using the Electronic Court Filing system and/or first-class U.S. mail.

s/William Barkholz
Case Manager